

1 | that correct?

2 |     A     I do not know.

3 |           MR. DUNNE: Counsel, will you stipulate that the FM  
4 | city -- excuse me, interference contour is 60 millivolts per  
5 | meter?

6 |           MR. SHOOK: I don't know what the interference contour  
7 | is; I know what city-grade coverage is supposed to be and what  
8 | normal FM, you know, the contour that's looked at is supposed  
9 | to be. The interference contour, I don't know.

10 |           MR. DUNNE: Can we go off the record just a moment,  
11 | Your Honor? I'll be right with you.

12 |           JUDGE STIRMER: Okay.

13 |           (Whereupon, a brief recess was taken.)

14 |           BY MR. DUNNE:

15 |     Q     Mr. Ramage, I'm going to put before you Part 73 of the  
16 | Code of Federal Regulations, and I'll refer you to  
17 | Section 73.311 of the rules that is entitled "Field Strength  
18 | Contours." Okay, and it talks about applications for FM  
19 | broadcast stations, and it mentions two field strength con-  
20 | tours. Read that there?

21 | (Pause.)

22 |     A     Okay.

23 |     Q     You read that, Mr. Ramage?

24 |     A     Yes.

25 |     Q     Okay, that, that, that section refers to the,

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1 Mr. Ramage, the two field strength contours; one, the 70 DBU,  
2 3.16 -- and what is that? MVM, that's millivolts per meter,  
3 right?

4 A Millivolts per meter.

5 Q And then there's a 60 DBU, or the 1 millivolt per meter  
6 contour, is that correct?

7 A That's correct.

8 Q Okay. Now a millivolt -- how many millivolts is a  
9 microvolt?

10 A There are 1,000 microvolts for one millivolt.

11 Q Okay, so a 1-millivolt-per-meter contour would, would  
12 translate as what into microvolts?

13 A A thousand microvolts.

14 Q I'm, I'm going to see if I can get this -- establish  
15 correctly. The, the 1-millivolt-per-meter contour would equal  
16 the 1,000-microvolt-per-meter contour, correct?

17 A Correct.

18 Q And you don't know of your personal knowledge whether  
19 the 1-millivolt-per-meter contour was defined in FM as an  
20 interference-free contour?

21 A Are you talking about the blanketing contour?

22 Q No, I'm talking about just regular FM, the  
23 interference-free contour.

24 A No, I do not know that.

25 Q Okay. Mr. Ramage, I want to make it clear on the

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1 | record and to you, obviously the rule is talking about differ-  
2 | ent kinds of interference when we, we're talking about FM  
3 | blanketing interference, we'll specifically refer to FM  
4 | blanketing interference, okay?

5 |     A     Okay.

6 |     Q     My questions that -- dealing with the interference-free  
7 | contour had nothing to do with FM blanketing interference.

8 |     A     Fine.

9 |     Q     Now, when you went to the transmitter site with -- I  
10 | believe it was your testimony yesterday that you went to the  
11 | transmitter site with Mr. Stewart and Mr. Lampe, the contract  
12 | engineer while you were inspecting the station, is that cor-  
13 | rect?

14 |     A     That's correct, and Mr. Gusick.

15 |     Q     Mr. who?

16 |     A     Gusick.

17 |     Q     I'm sorry.

18 |     A     Yeah.

19 |     Q     Okay, do you recall the transmitter at all?

20 |     A     Just vaguely.

21 |     Q     Okay, and I believe you testified yesterday that there  
22 | were three meters that you -- the Planck voltage and the  
23 | percentage of output found?

24 |     A     Correct.

25 |     Q     Okay, do you recall where those meters were?

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- 1 A I believe they were upper part of the unit.
- 2 Q In the upper left-hand corner?
- 3 A They pretty much were spaced across the top equally.
- 4 Q Okay. Did -- do you know or did you ask if there were
- 5 any other meter readings that could be called up on the trans-
- 6 mitter, other than the ones you read there?
- 7 A I do not recall if I even asked.
- 8 Q Do you know if that -- you see a lot of transmitters in
- 9 your business, don't you?
- 10 A Correct.
- 11 Q Is it common for transmitters to have other sorts of
- 12 readings you can call up, other than those three that you just
- 13 named?
- 14 A Not for FM stations.
- 15 Q Now, if you recall, Mr. Ramage, do you recall -- you've
- 16 identified the three meters you, you looked at. There was one
- 17 meter to the far right -- I believe you testified there was
- 18 one meter to the far right that doubled the percentage of
- 19 output power, is that correct?
- 20 A I believe so, yes.
- 21 Q Do you recall now, looking at it, what the, the maximum
- 22 percentage of output power was, was, was listed on there?
- 23 A No, I do not.
- 24 Q You have no recollection of that.
- 25 A No, I have no recollection.

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1 Q Is, is there a general, a standard sort of meter, that,  
2 that, that is common in FM transmitters?

3 A I have not really noticed any. There may be. I just  
4 haven't noticed it.

5 Q You don't recall, for example, the, the maximum trans-  
6 mitter power output on that particular medium was 120 percent,  
7 or 125 percent, or 130 percent?

8 A No.

9 Q Mr. Ramage, again you've just testified that you see a  
10 lot of transmitters in, in your business, is that correct?

11 A Correct.

12 Q Is it a -- do most transmitters -- is it common for  
13 transmitters to have a, a power cut off feature to save trans-  
14 mitter tubes?

15 A I'm not sure what you're looking for.

16 Q I admit the question was unartfully put, Mr. Ramage.  
17 Is it, is it not a fact that it's common for FM -- is it  
18 common for an FM transmitter to have essentially a power  
19 cut-off at a certain level to protect the tubes and the trans-  
20 mitters so people can't boost the power up too high that would  
21 harm the system?

22 A Some -- transmitters in general are only built up for  
23 certain power ranges. So, I mean, if it's a 3 kilowatt sta-  
24 tion versus -- it can go to 100 watt -- kilowatts. A lot of  
25 them have -- I'm not that familiar with the units themselves

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1 to know, to tell you the truth. I just know they're built for  
2 certain limits.

3 Q I'm sorry. I missed that with our goings on behind us  
4 there.

5 A Yeah, I said I just know they're built for certain  
6 ranges, power ranges --

7 Q Okay.

8 A -- but I do not know --

9 Q And you do know that the power range boosted up, you  
10 know, past that range, the transmitter cuts off, right?

11 A Well, the transmitter will only have the capability.  
12 After a certain range it's incapable of going any higher.

13 Q Mr. Ramage, are you having any problem hearing me with  
14 what I'm saying back here?

15 A Sometimes but not very much.

16 Q Okay, I'll try to keep my voice up so you can -- okay,  
17 yesterday I believe I referred you to Mass Media Bureau  
18 Exhibit 28, page 6.

19 A Yes.

20 Q Okay, and we looked at the -- we looked at a, a page  
21 from a technical manual for KOKS' transmitter?

22 A Yes, sir.

23 Q Did you -- refresh my recollection, Mr. Ramage. Did  
24 you testify yesterday -- you said that you looked up --  
25 received some information concerning the efficiency of the

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1 transmitter, is that correct?

2 A I received the efficiency that the station personnel  
3 provided me that said it was from the manufacturer's test  
4 data.

5 Q Okay, and -- but that was not from the manual.

6 A I do not recollect where that came from.

7 Q Okay. Did you consult the manual at all while you were  
8 there?

9 A Not that I recall.

10 Q But do you know if the manual was there?

11 A I believe it was.

12 Q Okay, but I believe it was your testimony that nobody  
13 showed you this particular page while you were there.

14 A I do not recall seeing that page.

15 Q Could you have seen that page and just don't remember  
16 it, or are you -- do you have a specific recollection of not  
17 seeing it?

18 A I do not recall.

19 Q Did you and Mr. Gusick discuss this inspection after,  
20 after you left? I believe you testified yesterday he was kind  
21 of in a learning experience with you.

22 A Correct.

23 Q Did he mention to you seeing any technical manual or  
24 technical data at the station?

25 A Not that I recall.

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1 Q So you wouldn't know if he saw this particular --

2 A Not that I recall.

3 Q Okay, Mr. Ramage, can you describe for us -- when you  
4 went in the station, why don't you just describe for us when  
5 you went to the studio what you did in your -- as part of the  
6 station inspection?

7 A A lot of things. Basically, Mr. Gusick and I arrived  
8 and informed the station personnel we were there for an  
9 inspection. I believe, Mr., Mr. and Mrs. Stewart were avail-  
10 able.

11 Q They had no knowledge that you were coming. This was  
12 a --

13 A No, they did not.

14 Q This was off --

15 A This was an unannounced inspection. We -- almost all  
16 of our inspections are unannounced. So we arrived and, and  
17 informed them we were there to do an inspection. I don't  
18 recall exactly what exact steps were taken that day, but I  
19 know we, we started out at the studio site, looked at a few  
20 things. Then we went to the transmitter site, and then came  
21 back to the studio site again and discussed several things,  
22 and then we left.

23 Q Okay. Well, let's, let's go -- while you were at the,  
24 at the studio, obviously you went and looked at the, the meter  
25 readings concerning the transmitters, is that correct?

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1 A Correct.

2 Q Okay, and now where, where was that equipment in the  
3 studio?

4 A I believe as you walk in the front door, it was to the  
5 back and to the left.

6 Q Okay, and as part of your, part of your inspections,  
7 you also look at other things other than, obviously, the  
8 transmitter information, is that correct?

9 A Correct.

10 Q Okay, in this particular instance you made certain  
11 inquiries of the station concerning certain of their records,  
12 is that correct?

13 A Correct.

14 Q Why don't you describe for us, you know, how you did  
15 that and the result.

16 A During most inspections we look at the station's public  
17 inspection file.

18 Q Um-hum.

19 A And there are certain items that are supposed to be in  
20 every station, and then there is an additional item that's  
21 supposed to be in non-commercial stations which is the list of  
22 donors --

23 Q Um-hum.

24 A -- for the station. I remember not finding a list of  
25 donors at this station, and had inquired as to why there was

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1 no list.

2 Q Okay, well, why don't, why don't we see if we can -- if  
3 you recall, Mr. Ramage, this is -- if you recall -- do you  
4 recall who you asked this -- did you ask somebody to see the  
5 public file?

6 A Yes.

7 Q And who did you ask?

8 A I believe I asked Mrs. Stewart.

9 Q Okay, and Mrs. Stewart is right over there -- correct?

10 A Yes.

11 Q And if you recall, what happened then?

12 A She showed us back to a room that had several filing  
13 cabinets --

14 Q I can't hear you over the people who are coming by.

15 A Right.

16 Q Go ahead, Mr. Ramage.

17 A She showed us to a room with several filing cabinets,  
18 and one was labeled -- I believe it was labeled "public file,"  
19 which she pulled out and showed us where the files were  
20 located.

21 Q Okay, and did you make specific inquiries after she  
22 pulled this out?

23 A Yes.

24 Q And what did you ask her?

25 A I remember asking about the list of donors for the

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1 station.

2 Q Do you remember what her response was?

3 A I believe she said that the rules only required a list  
4 of donors who specific part of the broadcast day, and she  
5 said, "Our donors sponsor all of our programming, no -- not  
6 just the specific part."

7 Q Did you, did you ask to see a list of those donors?

8 A I do not recall.

9 Q Do you -- so you don't know if such a list was avail-  
10 able?

11 A I believe I did ask, thinking on it. I, I did ask for  
12 a list of any donors they had and do not recall any such list  
13 being available.

14 MR. DUNNE: Your Honor, I'm going to show the witness  
15 what I'd like marked and identified as KOKS Exhibit No. 12.  
16 It's a list of donors 1988, 1989, 1990, 1991. Okay. I'm  
17 having this marked and identified at this point, Your Honor.

18 MR. DUNNE: Mr. Ramage --

19 JUDGE STIRMER: How many pages?

20 MR. DUNNE: Pardon?

21 JUDGE STIRMER: How many pages?

22 MR. DUNNE: Let's see, that's one, two, three -- seven  
23 pages.

24 JUDGE STIRMER: All right, that document will be marked  
25 as KOKS Exhibit No. 12.

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1 (Whereupon, the document referred to as  
2 KOKS Exhibit No. 12 was marked for  
3 identification.)

4 MR. DUNNE: Thank you.

5 BY MR. DUNNE:

6 Q Mr. Ramage, I'd like you to take a quick look at what's  
7 been marked and identified as KOKS Exhibit No. 12. Just take  
8 a quick look at that, if you would. Okay, have you had a  
9 chance to take a look at this, Mr. Ramage?

10 A Yes.

11 Q Now, these purport to be a list of donors, at present  
12 unidentified. Have you ever seen these before?

13 A Not that I recall.

14 Q Okay, so you don't know if these came from the KOKS  
15 files or not.

16 A No.

17 Q And is it your recollection that you did not see these  
18 at KOKS?

19 A No, I did not see these.

20 Q And it is your testimony that you did not see any such  
21 files at -- or lists at KOKS?

22 A That's correct, I did not see that list.

23 Q Okay. Now, what else -- Mr. Ramage, what else do you  
24 normally ask the licensee for when you run inspections of the  
25 station, if anything?

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1       A     Okay, in the public file, we also ask for lists of  
2 programs that stations have aired each calendar quarter which  
3 have significantly met the needs of the community or provided  
4 the stations most significant programming of community issues.

5       Q     Okay, and that's required by Commission rules, is that  
6 correct, Mr. Ramage?

7       A     That's correct.

8       Q     Okay. Did you do that -- so in this particular  
9 instance?

10      A     Yes.

11      Q     And what was KOKS' response?

12      A     They did not have any such list.

13      Q     Well, if you recall -- do you recall -- who did you ask  
14 the question?

15      A     Miss Stewart -- Mrs. Stewart.

16      Q     Okay, and do you recall what her response was?

17      A     Not in that case, no.

18      Q     You don't have any recollection?

19      A     No.

20           MR. DUNNE: Your Honor, we'll provide copies of all  
21 these documents for the record as soon as we can get access to  
22 a Xerox machine here. Your Honor, I have -- and counsel, I  
23 would like to show you what I'd like marked and identified as  
24 KOKS Exhibit No. 13.

25           JUDGE STIRMER: Would you describe it?

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1 MR. DUNNE: It's a list of programs and problems for --  
2 beginning in 1988, ending 1992. It's approximately 30 pages,  
3 Your Honor. I can give you an exact count when I have a  
4 chance to count it.

5 JUDGE STIRMER: All right, the document described by  
6 counsel will be marked as KOKS Exhibit 13.

7 (Whereupon, the document referred to as  
8 KOKS Exhibit No. 13 was marked for iden-  
9 tification.)

10 JUDGE STIRMER: You have permission to remove 12 and 13  
11 to make copies, Mr. Dunne.

12 MR. DUNNE: Thank you.

13 BY MR. DUNNE:

14 Q Do you want to review that, Mr. Ramage?

15 (Pause.)

16 Q Have you had an opportunity to review those,  
17 Mr. Ramage?

18 A Briefly, yes.

19 Q Okay. Briefly.

20 A Yes.

21 Q Do you recall ever seeing these before?

22 A No.

23 Q And you have a recollection you did not see these at,  
24 at KOKS when you inspected the station?

25 A That's correct.

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1 Q Okay.

2 JUDGE STIRMER: Let me ask you a question, Mr. Ramage.  
3 Did you ask for the donors list from Mrs. Stewart; did you ask  
4 her to produce a donors list?

5 WITNESS: Yes.

6 JUDGE STIRMER: And what did she -- did she produce  
7 anything at that time pursuant to your request?

8 WITNESS: No.

9 JUDGE STIRMER: Did you ask to -- her to produce the  
10 programming problems list?

11 WITNESS: Yes.

12 JUDGE STIRMER: Did she produce anything at that time  
13 pursuant to your request?

14 WITNESS: No.

15 JUDGE STIRMER: What did she say with respect to the  
16 programming problems list when you asked for it?

17 WITNESS: I do not recall.

18 JUDGE STIRMER: But she didn't present you with any --  
19 with the documents that counsel now showed you.

20 WITNESS: That's correct, I did not receive those  
21 documents.

22 JUDGE STIRMER: And neither did you receive any donors  
23 list at that time.

24 WITNESS: That's correct.

25 JUDGE STIRMER: All right.

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1 MR. DUNNE: Your Honor, I'm going to refer the witness  
2 to, specifically, to, I guess -- well, we'll figure out the  
3 pages later, but what is entitled "Public Affairs Programs  
4 Problems October, November, December 1991."

5 BY MR. DUNNE:

6 Q I'd like you take a look at those two pages, specif-  
7 ically.

8 A All right.

9 Q Okay, Mr. Ramage, have you ever seen these documents  
10 before?

11 A No.

12 Q It, it's your testimony that you don't -- you've never  
13 seen them or you don't recall seeing them?

14 A I don't recall ever seeing them.

15 Q Okay. I'd like you to refer -- refer you to the very  
16 next page, the January, February, March '92 Public Affairs  
17 Problems List, okay?

18 A Um-hum.

19 Q I'd like you to compare that with the Programs Problems  
20 list that you just reviewed that was for the prior quarter.  
21 Did you look at the heading, Mr. Ramage?

22 A (No audible response.)

23 Q Is there anything different about the heading?

24 A Yes.

25 Q Okay, and what is different about the heading?

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- 1       A     The, the date it was placed in the file.
- 2       Q     Okay. Now, the first document you reviewed had no date  
3 that it was placed in the file, and the second document does,  
4 is that correct?
- 5       A     Correct.
- 6       Q     Okay. Does that refresh your recollection in any way  
7 concerning whether you may or may not have seen the first  
8 document identified "Public Affairs Programs Problems October,  
9 November, December?"
- 10      A     I don't recall seeing that document.
- 11      Q     Do you recall Mrs. Stewart showing you the programs  
12 problems list and asking you, "what's wrong with this," or,  
13 "what have I done wrong with this"?
- 14      A     No.
- 15      Q     You don't recall telling Mrs. Stewart that what was  
16 wrong with it was that the date that it was placed in the  
17 public file was, was not on the top of the page?
- 18      A     No.
- 19      Q     You have no recollection of --
- 20      A     No --
- 21      Q     -- having that conversation?
- 22      A     -- I have none.
- 23      Q     What else should be in a, in a public file of any  
24 station that you visit, Mr. Ramage?
- 25      A     The other thing I was looking for is a list of -- any

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1 | time a political candidate requests time on the station they  
2 | have to have a -- in the file, that request form, and the  
3 | station did not have that.

4 | Q Okay. Do you recall specifically what you asked --  
5 | excuse me -- Mrs. Stewart for?

6 | A Yes, a list of her file containing the request for time  
7 | from political candidates.

8 | Q Okay, and no such file existed or there was nothing in  
9 | the file?

10 | A There was no -- I did not find a file, to my  
11 | recollection, that had any requests.

12 | Q Okay, did Mrs., did Mrs. Stewart -- did you ask  
13 | Mrs. Stewart about that?

14 | A Yes, I did.

15 | Q And what did she tell you about this?

16 | A She stated that according to her attorney, or the  
17 | station's attorney, that they were only required to put in  
18 | their request for time from candidates seeking national-level  
19 | offices, and not candidates seeking local or state offices.

20 | Q Did you ask Mrs. Stewart whether she had ever had a  
21 | request for political time --

22 | A Yes.

23 | Q At KOKS?

24 | A Yes, and she said she'd only had a couple requests from  
25 | local or state.

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1 Q Okay. Now, you have a distinct recollection that, that  
2 she said that she'd had a couple of requests?

3 A Yes, and I placed that in the report in the file. Top  
4 of page 8.

5 Q Sure. I believe that you testified that prior to  
6 inspecting KOKS, that you discussed with Mr. Moffitt the  
7 previous inspection that he made at the station, is that  
8 correct?

9 A Yes.

10 Q Was it your testimony that you reviewed Mr. Moffitt's  
11 report?

12 A I do not recall whether I did or not.

13 JUDGE STIRMER: Yeah, got that right --

14 BY MR. DUNNE:

15 Q Mr. Ramage, if I may, I'd like to refer you to  
16 Exhibit No. -- KOKS Exhibit No. 6 -- I believe it's 40. Okay,  
17 now, I'd like you to take a quick, a quick perusal through  
18 that, as it were.

19 A All right.

20 Q Did you have an opportunity to review that?

21 A Yes.

22 Q Okay, I'd like to direct your attention to the, the  
23 fourth page from the back of that exhibit. It's -- and it's  
24 entitled "Broadcast Inspection Data Summary." Were you able  
25 to find that, Mr. Ramage?

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1 A Yes.

2 Q Okay, and I believe you testified yesterday that that's  
3 the standard inspection sheet that's filled out by FCC inspec-  
4 tors, is that correct?

5 A That's correct.

6 Q And I believe you also testified that you don't recall  
7 if you filled out such a sheet when you inspected KOKS.

8 A I believe I did, yes.

9 Q You believe you did. And it was -- was it the same  
10 sheet?

11 A Yes.

12 Q Okay, and, in filling out this sheet -- such a sheet,  
13 Mr., Mr. Ramage, there is a certain FCC procedure, is there  
14 not? People follow the sheet and they follow the procedure,  
15 and essentially do the same thing you did, don't they when  
16 they inspect a station?

17 A Generally, yes.

18 Q Okay, they go in and they ask the, you know, the  
19 station management to see a public affairs, public affairs  
20 file?

21 A Yes.

22 Q Excuse me, the public file.

23 A Yes.

24 Q I noticed that under "inside control of records," there  
25 is a public file, and there's a check there?

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1 A Um-hum.

2 Q Okay, so that indicates that the inspector actually did  
3 check the public file, is that correct?

4 A It indicates -- that's what it looks like, yes.

5 Q Okay, and in the normal course of FCC business, when  
6 someone checks that, that means they have checked the public  
7 file, is that correct?

8 A That's correct.

9 Q All right, and is it your testimony you did not review  
10 this report prior to --

11 A I do not recall reviewing this report.

12 Q Did you review the report subsequently?

13 A Yes.

14 Q After you got back?

15 A Yes.

16 Q Did you review the report before you, you prepared your  
17 own report?

18 A I believe so.

19 Q Didn't it strike you as odd, Mr. Ramage, that KOKS  
20 would have been inspected in December 1989, and had a public  
21 file, and a programs problems list, and not had the same thing  
22 in 1991 or 1992?

23 A Yes.

24 Q Did you do anything to, to answer your questions about  
25 that?

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1       A     By that time, Mr. Moffitt had transferred to Los  
2 Angeles, and so I asked Miss Raines, and it was her recollec-  
3 tion that she had checked the file, not just Mr. Moffitt.  
4 It -- that it had been her.

5       Q     Um-hum.

6       A     And at that time, Miss Raines was fairly new with the  
7 Commission, and she indicated that she may not have checked  
8 everything that was supposed to be in the file.

9       Q     Did she indicate what she did check?

10      A     No.

11      Q     Okay, one of the -- veering slightly off the topic,  
12 Mr. Ramage, in that report and then in your own report --  
13 let's look at page, oh, say, page 5 or 6 of KOKS  
14 Exhibit No. 6, which is the Raines/Moffitt report. This is  
15 the page I want. Okay?

16      A     All right.

17      Q     Okay. Now, this is just a very general question,  
18 Mr. Ramage. I'm referring you to that page only because it  
19 refers to certain things called "TASO" or "TASO."

20      A     Correct.

21      Q     Do you see that where it says Channel 6, Channel 8,  
22 Channel 12, Channel 15?

23      A     Yes.

24      Q     Okay, what is "TASO" or "TASO"?

25      A     It's a television picture grading system that's based

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1 on black and white pictures only. There is no TASO system for  
2 color pictures, and it rates the picture with "1" being the  
3 best and "6" being the worst.

4 Q Okay, I know that -- okay, when you say you're "rating  
5 the picture," how does one rate a picture? Is this -- do you  
6 just look at it and say "That's a TASO 2?"

7 A In, in my case, prior to the inspection, I requested a  
8 video tape from our Norfolk, Virginia training office on TASO  
9 ratings showing what the -- they -- how they graded pictures  
10 based on this grading system, and I reviewed that just prior  
11 to the inspection. So I based my ratings on TASO on that tape  
12 that I received from Norfolk, Virginia.

13 Q Okay, I'm sorry, you said Norfolk, Virginia?

14 A Yeah, Norfolk, Virginia.

15 Q Okay, and what is in Norfolk, Virginia?

16 A It's our engineering training center.

17 Q Okay, what I'm trying to get at is, Mr. Ramage, is  
18 there, is there kind of a, a -- some sort of, of -- in the  
19 rules or a generally accepted engineering procedure kind of a  
20 standard of what TASO means, what a TASO 6 versus a TASO 4  
21 means?

22 A No, I don't believe there is any.

23 Q Okay. So it's inherently sort of subjective, isn't it?

24 A Yes.

25 Q Well, let's, let's just talk real quickly. You

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1 don't -- so you don't know if Mr. Moffitt, for example,  
2 reviewed the same tape you did?

3 A I do know that he did not review that tape.

4 Q Okay, and in that tape and in your own -- we're going  
5 to put this aside for a moment, okay? There, there are times  
6 in your own report you refer to TASO 1, 2, 3, 4, et cetera.  
7 Can you describe for us briefly for the record, as you applied  
8 the standard what a TASO 1, 2, 3, 4 signal looks like?

9 A A "1" is a, a perfect picture. You don't see any  
10 blemishes; it's a very sharp clean picture. A "6" is basi-  
11 cally no picture at all. You cannot -- you can maybe distin-  
12 guish something moving on the screen, but you can't see a  
13 picture there. It's a unviewable picture.

14 Q Okay.

15 A And so it -- and then it's just spread out between the  
16 "1" and the "6." A "2" is a almost perfect picture; "3" is  
17 a -- has some slight interference in the background; "4" is  
18 a -- has quite a bit of interference in the background; "5" is  
19 severe interference but you can still see a picture: and "6"  
20 is no picture at all.

21 Q Okay, is, is there a generally accepted standard of  
22 what's a viewable or watchable picture?

23 A Again, no, I do, do not believe there is.

24 Q In, in your -- the, the training film that you  
25 reviewed, is there any information concerning that this is a

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1 viewable or watchable picture and this is not? Is there some  
2 sort of standards that are set --

3 A It just says this --

4 Q -- or is that essentially subjective, too?

5 A It, it just says this, "this would be rated a TASO such  
6 and such."

7 Q Okay. So there may, in fact, be a difference if you're  
8 in New York City with what might be an acceptable signal is  
9 maybe different than if you're living in a rural area?

10 A I can only go by what I saw on the, on the film.  
11 I'm -- I wasn't real clear on --

12 Q I'm sorry?

13 A I, I wasn't real clear on what you were looking for  
14 there.

15 Q Well, someone's personal --

16 A If I was in New York City versus --

17 Q Okay, sir --

18 A -- somewhere else, I would view the same --

19 Q Someone's personal, personal definition of a viewable  
20 signal, if you're in a rural area, they might be satisfied  
21 with a TASO of 3, for example, whereas in New York City, where  
22 there is a plethora of signals that are very strong, they  
23 might not view a signal that's less than a TASO 2 --

24 A That's possible. I do not know.

25 Q That's essentially a subjective --

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